

HOUSE BILL NO. 510

INTRODUCED BY K. KORTUM, C. SPRUNGER

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A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING WHEN THE COMMISSIONER OF POLITICAL PRACTICES SHALL PROVIDE NOTIFICATION OF A MUNICIPAL CANDIDATE'S COMPLIANCE WITH CERTAIN DISCLOSURE REQUIREMENTS IN ORDER TO APPEAR ON THE BALLOT; AMENDING SECTION 13-37-126, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 13-37-126, MCA, is amended to read:

**"13-37-126. Names not to appear on ballot.** (1) The name of a candidate may not appear on the official ballot for an election if the candidate or a treasurer for a candidate fails to file any statement or report as required by 2-2-106 or this chapter.

(2) A vacancy on an official ballot under this section may be filled in the manner provided by law, but not by the same candidate.

(3) (a) In carrying out the mandate of this section, the commissioner shall, by a written statement, notify the secretary of state and the election administrator conducting an election when a candidate or a candidate's treasurer has not complied with 2-2-106 or the provisions of this chapter and that the candidate's name may not appear on the official ballot.

(b) ~~The~~ Except as provided in subsection (3)(c), the commissioner shall provide the notification:

(i) 2 calendar days before the certification deadline provided in 13-10-208 for statewide primary elections and 20-20-401 for school district elections; and

(ii) 7 days before the certification deadline provided in 13-12-201 for general elections.

(c) (i) For a municipal primary election, the commissioner shall provide the notification no later than 5 days after the candidate filing deadline.

(ii) For a municipal general election, the commissioner shall provide the notification no later than September 30 or, if September 30 falls on a Saturday or Sunday, no later than the preceding Friday."

